

# **EXHIBIT**

**33**

**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION**

NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE,  
INC., *et al.*,

Plaintiffs,

v.

CITY OF MYRTLE BEACH, *et al.*,

Defendants.

Civil Action No. 4:18-cv-00554-MGL

**DECLARATION OF HAKIM HARRELL**

I, Hakim Harrell, hereby state as follows:

1. I am over the age of eighteen and am competent to make this Declaration. I have personal knowledge of the matters set forth herein.
2. I am a resident of Philadelphia, Pennsylvania. I am the CEO of my own business, BSX Motorcycle Accessories. I am African American.
3. I first came to Black Bike Week in Myrtle Beach, South Carolina in 2002 along with my motorcycle club. I fell in love with Black Bike Week. Yet, I noticed there was a lack of organized events in place. So, in 2003, I decided to begin organizing events for Black Bike Week through my company, Cycle Shoe International, for which I am the CEO.
4. For every year from 2002 until 2009, I was a large event promotor for Black Bike Week. During that time, I traveled to Myrtle Beach at least twelve times per year outside of May to prepare for Black Bike Week events. I also resided in Myrtle Beach for the entire month of May to organize and participate in Black Bike Week.

5. In 2007 and 2008, I rented the entire Myrtle Beach Convention Center during Black Bike Week for large events that included 75 vendors in 2007, and 225 vendors in 2008. In one year, my event at the Convention Center brought in more than 75,000 attendees over the course of the three days it took place. There were never any violent incidents that occurred at any of my events.

6. In 2008, the City's treatment of Black Bike Week worsened. During Memorial Day weekend in 2008, a college student was shot and killed in an incident that was unrelated to Black Bike Week. When I reached out to a City Council member, he refused to publicly contradict the false narratives that connected the killing to Black Bike Week.

7. That same year the Myrtle Beach City Council passed a series of anti-bike rally ordinances, including Ordinance 2008-64, which required all bikers to wear a helmet. From my conversations with Michael Chestnut, I understood that the City Council's actions were aimed at ending Black Bike Week, and Harley Week was merely collateral damage.

8. As part of the City's anti-bike rally actions, vendor fees during Memorial Day weekend tripled and quadrupled. This made it unaffordable for businesses to come and market their services during Black Bike Week. For instance, fees that were between \$200-500 in 2003 increased to \$800-\$1,100 in 2008.

9. The City also banned motorcycle-related events at the Convention Center in the month of May, without properly informing stakeholders, like me. In 2009, when I was planning to do motorcycle events at the convention center in May, the City simply returned my \$2,500 deposit without any explanation of the ordinances recently put into place.

10. Although I had earlier wanted to sign another large contract with the City to rent out the Convention Center from 2008-2012, the last Black Bike Week I attended and organized

events for was in 2009. That year, I produced an event at a nightclub, but was only able to attract 18 vendors, due to the policy changes put in place by the City in 2008.

11. After that point, I stopped attending Black Bike Week because the 2008 ordinances made it impossible for me to organize successful events during Black Bike Week. And I was not alone, other vendors, around 90% of which were from outside of South Carolina, told me that they could no longer afford to come to Myrtle Beach. I was also upset by the City's relentless efforts to end the event. Many small and local business owners told me they looked forward to all of the business spurred by Black Bike Week, so the City's efforts to end it did not make any sense to me.

12. I believe these anti-rally ordinances were racially-motivated and specifically aimed to prevent Black bikers from coming to Myrtle Beach. I also believe the only reason the City made the ordinances apply to Harley Week along with Black Bike Week was to avoid accusations of racial discrimination.

13. I have attended other events in Myrtle Beach, including Harley Week. The difference in how the City treats these other events compared to Black Bike Week was night and day. I did not feel nearly as strong of a police presence during Harley Week as I did during Black Bike Week.

14. From 2002-2010, I also experienced the one-way traffic plan put into place by the City during Black Bike Week. This created a major hassle for motorists, especially bikers, during Black Bike Week. I knew various bikers whose motorcycles overheated due to the slow traffic. Many bikers who found themselves stalled in traffic had to turn off their bikes and walk them down the street.

15. I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED WITHIN THE UNITED STATES ON: September 16, 2019.

BY:

  
Hakim Harrell